



ORANGE COUNTY

COASTKEEPER®

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October 19, 2021

SENT VIA ONLINE PORTAL: <https://foiaonline.gov/foiaonline/action/public/request>

National FOIA Office
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (2310A)
Washington, DC 2046

Re: Freedom of Information Act Request Regarding Platforms Elly, Ellen, and Eureka and the San Pedro Bay Pipeline

Dear FOIA Officer:

On behalf of Orange County Coastkeeper ("Coastkeeper") and pursuant to the Freedom of Information Act, 5 U.S.C. § 552 *et seq.*, I request access the United States Environmental Protection Agency ("EPA") records received, kept, and/or maintained by the EPA, or in constructive possession of the EPA relating to the following companies and properties:

- Amplify Energy Company ("Amplify");
- San Pedro Bay Pipeline Company ("Pipeline Company");
- Beta Operating Company, LLC or Beta Offshore (together, "Beta");
- Any other subsidiaries of Amplify, Beta, or the Pipeline Company (collectively, the "Subsidiaries");
- Memorial Production Partners, and any of its subsidiaries or successors (collectively with Amplify, Pipeline Company, Beta, and the Subsidiaries, the "Entities");
- The oil platforms Ellen, Elly, and Eureka (collectively, the "Platforms"); and
- The pipeline(s) located between the Platforms and/or the Beta pump station located in Long Beach, California (collectively with the Platforms, the "Oil Facilities").

Specifically, I hereby request that for the above-listed Entities and Oil Facilities, the EPA provide access to any and all of the following documents and records from or in effect as of March 1, 2014 onward, including correspondence, work orders, purchase orders, requests for proposal, permits, permit applications, certifications, waiver requests, exemption requests, notes, calendar entries, emails, power point presentations, meeting agendas, photographs, and any other documents that refer, relate or pertain to the following:

1. All Notices of Intent to comply with and/or obtain coverage under General Permit No. CAG280000 Authorization to Discharge Under the National Pollutant Discharge Elimination System for Oil and Gas Exploration, Development, and Production Facilities (the "Permit");
2. All EPA Permit coverage approvals;
3. All notifications of requirements to apply for an individual NPDES permit;

4. All documents and correspondence related to chemical inventories, drilling fluid inventories, cooling water intake structure reports, operating logs, compliance schedules, and work plans;
5. All documents and correspondence related to discharge monitoring reports including, but not limited to, static sheen tests, representative sampling analyses, supplier certifications, toxicity tests, and toxicity reduction evaluations;
6. All notices of termination of operations or planned changes;
7. All notices of anticipated non-compliance, anticipated bypass, or unanticipated bypass;
8. All notices or reports of non-compliance, written warnings, penalties, compliance schedules, or other documentation or correspondence related to enforcement actions or instances of non-compliance;
9. Any documents pertaining to inspections and/or inspection reports, including photographs; and
10. All other documents, reports, and/or correspondence related to the Oil Facilities' and/or the Entities' Permit coverage and compliance.

Any reference in this request to EPA includes, but is not limited to, EPA consultants, employees, officers, and attorneys and any other person or entity contracted to do business on its behalf.

Given the rapidly evolving nature of the October 2021 Orange County oil spill and the severity of its impacts on the local environment and community, including Coastkeeper's members, Coastkeeper kindly requests the EPA provide access to responsive documents on an ongoing basis through November 1, 2021 in an effort to avoid the need for Coastkeeper to send multiple and duplicative requests. Coastkeeper greatly appreciates EPA's cooperation in this regard.

To minimize costs and the imposition on EPA staff time and resources, Coastkeeper requests to receive the copies electronically, where available. In addition, if costs are significant, Coastkeeper staff is available to inspect and scan documents ourselves. Further, if the EPA can provide us with the requested information in a short form, we may be able to narrow the scope of this request. We would be happy to discuss possible approaches to doing so, provided that any such discussion not delay EPA response.

If all or part of the request is denied, please provide the name, address, and telephone number of the agency official responsible for the denial, and the official responsible for the appeals of denied requests. Also, if portions of the requested records are exempt from release, I request that all reasonable segregable, nonexempt portions of those records be released. I do, of course, reserve our right to appeal the withholding or deletion of any information.

REQUEST FOR FEE WAIVER

Coastkeeper requests a waiver of all fees in connection with this request. FOIA carries a presumption of disclosure, and the fee waiver was designed specifically to allow nonprofit, public interest groups, such as Coastkeeper, access to government documents without the payment of fees.

As this request is by and for a public interest organization interested in the complete execution of all applicable laws for the protection of human health and the environment and open government, I

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request a waiver of any and all costs associated with the satisfaction of this request pursuant to 5 U.S.C. § 552(a)(4)(A)(iii); 15 C.F.R. § 4.11(k)(1)(i)-(ii). Please advise me of any informational or other procedural requirements that you may have in order for this request to qualify for a fee waiver. If you are unable to waive the fees associated with the satisfaction of this request, please notify me immediately of any payment required prior to copying any documents. Should you determine that a waiver of fees is not available, and we continue to disagree about the costs of providing copies of the information requested, we request that you allow us to bring our own equipment to scan and/or copy the information ourselves in your office. If any of the documents are available in electronic format, or on the internet, we request that you provide electronic copies or citations to the internet web address where the document(s) can be located.

If our request is approved, I ask that you direct your response to our attorneys at the address set forth as follows:

Orange County Coastkeeper
ATTN: Lauren Chase
3151 Airway Ave., Suite F-110
Costa Mesa, CA 92626
Tel: (714) 850-1965 ext. 1006
Email: lauren@coastkeeper.org

On behalf of Coastkeeper, I look forward to working with you on this document request to minimize the imposition on your staff. If you require any information to facilitate this request, or wish to discuss ways to facilitate this document production or reduce its costs, please do not hesitate to contact our office. Thank you very much for your assistance in this matter.

Very truly yours,

A handwritten signature in dark ink, appearing to be 'LC' or 'Lauren Chase' in a stylized cursive script.

Lauren Chase
Staff Attorney
Orange County Coastkeeper